

REMARKS

This is a response to the Office Action mailed February 14, 2006. Claims 1-6 are pending. Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Merckle, U.S. Patent No. 3,351,699. Applicants respectfully traverse the Examiner's rejection. Reconsideration is requested for at least the following reasons.

Claim 1 recites mating edges having a continuous cross-section along the length of each mating edge, and mounting a plurality of side elements to the base element along the mating edges.

Merckle discloses a T section 24 including side walls 29 that are integrally formed with bottom wall 28. See Fig. 2. The Action states that it would have been obvious to construct T section 24 in various elements because constructing a formally integral structure into various elements involves only routine skill in the art.

Applicants submit it would not have been obvious to one skilled in the art at the time of invention to modify Merckle as suggested in the Action, and it is submitted that such a modification is based on impermissible hindsight. MPEP 2145(X)(A).

For example, there is no express or implied motivation to remove integral side walls 29 of Merckle from bottom wall 28. In fact, Merckle teaches away from such a configuration because Merckle discloses a raceway that is capable of retaining RF energy without leakage. Col. 1, ll. 18-22. If side walls 29 of Merckle are separated from bottom wall 28, the result would be more joints (i.e., between side walls 29 and bottom wall 28) that could increase the potential for leakage of RF energy. Such a result is contrary to the Merckle's goal to minimize RF energy leakage.

Further, even if side walls 29 are removed, there is no suggestion as to how the separated side walls could be mounted to bottom wall 28. Cover 32 is attached to the tops of side walls 29 by forming openings 63, 64 through which fasteners 61 are extended to couple cover 32 to side walls 29. If the same arrangement is used to couple side walls 29 to bottom wall 28, the arrangement would require openings to be formed in bottom wall 28 to accommodate the fasteners. The openings formed in bottom wall 28 would result in a non-continuous cross-section for the edges of bottom wall 28. Such a configuration would therefore fail to meet the limitation of claim 1 requiring mating edges having a continuous cross-section along the length of each mating edge.

It is therefore suggested that one skilled in the art at the time of invention would not have been motivated to modify T section 24 disclosed by Merckle as suggested in the Action. Reconsideration and allowance of independent claim 1 and dependent claim 2 are respectfully requested for at least these reasons.

Claim 3 recites sides having a continuous cross-section along the length of each side, and mounting selected mating elements to the base element along the sides.

Independent claim 3 and dependent claim 4 are therefore patentably distinguished from Merckle for at least reasons similar to those provided above. Reconsideration and allowance are respectfully requested.

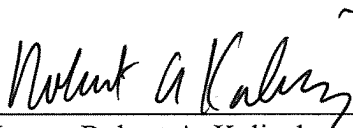
Claim 5 recites base elements having a continuous cross-section in a direction parallel to opposite sides of the element, and mounting a plurality of side elements to the base along the opposite sides of the base elements.

Independent claim 5 and dependent claim 6 are therefore patentably distinguished from Merckle for at least reasons similar to those provided above. Reconsideration and allowance are respectfully requested.

Favorable reconsideration in the form of a Notice of Allowance is earnestly solicited. If a telephone conference would be helpful in resolving any issue, the Examiner is urged to contact the undersigned at the telephone number noted.

Respectfully submitted,
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